

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 229 - SB 271**

March 14, 2021

**SUMMARY OF BILL:** Requires regional planning commissions (RPCs) to provide certain information concerning natural gas transmission pipeline (pipeline) locations to developers. Establishes notification requirements for RPCs and developers to pipeline operators and prohibits the issuance of building permits by RPCs until certain criteria are met regarding such notification.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – A precise recurring, mandatory increase in local government expenditures cannot reasonably be determined. \***

Assumptions:

- The proposed language:
  - Requires RPCs to gather raw data from the United States Department of Transportation regarding locations of pipeline and make this data available to developers;
  - Requires developers to provide notice on a building permit application stating that they have notified pipeline operators to verify the location of pipeline;
  - Prohibits an RPC from approving any building permit until: (1) a developer has received written consent from the pipeline operator; (2) the developer does not receive consent but can provide evidence of correspondence with the pipeline operator has occurred; or (3) the developer files evidence of an attempt to correspond with the pipeline operator but has received no response for 180 days; and
  - Requires RPCs to notify pipeline operators when an application for a building permit has been approved for a planned development which is located in whole or in part within 1,000 feet of a pipeline.
- The proposed language is applicable to 70 counties which have an RPC and may result in an increase in expenditures for RPCs associated with additional notification requirements and the need for additional staff to ensure new criteria on the issuance of all building permits have been met.
- Any increase in local expenditures will vary based on the level of development occurring within specific jurisdictions and the extent of staffing currently maintained by each RPC; due to these unknown factors a precise mandatory, recurring increase in local expenditures cannot reasonably be determined.

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

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